

CITY OF CLEWISTON
Special Commission Meeting
July 31, 2023

The Clewiston City Commission held a Special Meeting in the City Hall Commission Chambers Monday, July 31, 2023. The meeting was called to order at 5:05 p.m. by Mayor Pittman. The audience joined in reciting the Lord’s Prayer and the Pledge of Allegiance.

Commissioners Present: Mayor James Pittman, Vice Mayor Greg Thompson, Commissioner Barbara Edmonds, Commissioner Mali Gardner and Commissioner Hillary Hyslope.

Personnel Present: City Manager Randy Martin, Finance Director Shari Howell, Director of Operations Danny Williams, IT Administrator Justin Lucas, Golf Course Director Robbie Rush and Consultant Mark Magnarella. City Attorney Dylan Brandenburg attended via telephone.

Visitors Present: None

Additions/Deletions/Changes and Approval of the Agenda – Manager Martin stated that there are no changes to the agenda. Mayor Pittman stated that Resolution No. 2023-068 was provided for Agenda Item No. 4.

Public Comments – There were no public comments.

1. Consent Agenda

- A. Event Application – Clewiston High School Class of 2024 Senior Sunrise – August 9, 2023

Manager Martin stated this applicant was placed on this agenda for consideration due to the date of the event and the timing of Commission consideration.

Commissioner Hyslope made a motion, seconded by Commissioner Gardner, to approve the Consent Agenda. Vote 5 yeas, 0 nays

RESOLUTIONS

- 2. Resolution No. 2023-066** – Resolution No. 2023-066 approves the proposed millage rate of 6.5314 mills to send to the Property Appraiser and sets the date and time of the Tentative Millage and Budget Hearing for Thursday, September 7, 2023 at 5:05 p.m.

Mayor Pittman read Resolution No. 2023-066 by title. Manager Martin stated that the proposed millage rate stated in the resolution of 6.5314 mills is an estimate and constitutes the maximum millage. It is required by the state that this be filed each year before August 1. Commissioner Gardner stated that she feels there is a lot to discuss before the final hearing since we are looking at a fire assessment of almost \$370,000.

Commissioner Hyslope made a motion, seconded by Commissioner Edmonds, to approve Resolution No. 2023-066. Vote 5 yeas, 0 nays

- 3. Resolution No. 2023-067** – Resolution No. 2023-067 approves the award of the Area A Grounds Maintenance Contract to Cross Training Ministries in the amount of \$108,000.

Mayor Pittman read Resolution No. 2023-067 by title. Director Danny Williams recommended awarding the contract to Cross Training Ministries because he does not feel the apparent low bidder submitted has the staff and equipment necessary to satisfactorily perform the scope of work. Manager Martin advised the Commission that this action is necessary at this time because the current contractor for this area gave proper notice per the terms of their contract with the City to terminate and stated that their contract obligation will end on August 18, 2023. He agreed with Director Williams recommendation and stated that this contract, if approved, would begin in August when the current contract ends and would continue a little more than the original 12 month period date typical for this contract. The contractor would then be eligible for renewal per the stated contract terms. Mayor Pittman stated that he will abstain from voting because this action could inure to the special gain or loss of a relative. He then passed the gavel to Vice Mayor Thompson for this action consideration.

Commissioner Gardner made a motion, seconded by Commissioner Edmonds, to approve Resolution No. 2023-067. Vote 4 yeas, 0 nays (Mayor Pittman abstained from voting.)

Vice Mayor Thompson passed the gavel back to Mayor Pittman.

- 4. Resolution No. 2023-068 - Acceptance of proposal and approval of the award for the Golf Course Irrigation Contract** – A Request for Proposals was advertised in the Lake Okeechobee News on June 28, 2023 for the Golf Course Irrigation Project. Proposals were opened on July 28, 2023. Given the timing of the proposal opening, a copy of the recommended resolution was provided at this meeting.

Mayor Pittman read Resolution No. 2023-068 by title which had been previously provided to the Commission members. Manager Martin stated that he communicated the updated numbers received in the proposals with partner representatives from U.S. Sugar and First Bank. He reminded the Commission that First Bank is giving a \$300,000 commitment to go toward the project as well as an offer of financing at a 2% capped rate of interest. He noted that the staff will also go through the process of requesting proposals for financing, but this offer is already committed at the stated rate which is well below prevailing rates. He stated the low bids combined is \$121,119.56 lower than the previous maximum debt service amount of \$1.5 million and explained that having the lower bids lowers the debt service from what was previously estimated. He stated that all of the options and proposals that were received were considered and the two recommended low bidders were reputable and could perform the terms of the project scope and specifications within the timetable needed.

Vice Mayor Thompson raised questions about the RFP and details of the proposals that were received. Manager Martin explained that Pro Pumping Controls bid on the work to replace

the pumps currently at the pump station which was held out as an alternate because we were not sure there would be sufficient funding available without exceeding the \$1.5 million by including that element and confirmed the bids for the two other bidders did not include that scope of work. Manager Martin stated that he prepared the RFP based upon input he received from the consultant and potential contractors on what needed to be supplied and the scope of work. He also stated that consideration of lump sum proposals for materials and installation combined and proposals for materials only was included in the RFP request in case a bidder wanted to bid on materials only in which case another contractor would need to be responsible for the labor. After evaluating the proposals and discussing with the consultant and staff, he believes that breaking it out could leave potential gaps and liabilities in making sure the city has a complete turnkey project. Management, consultant and staff collectively agreed and are recommending the lump sum option even though one bidder did provide a breakdown of materials as well as labor separate. He confirmed that the specific job that Pro Pump & Controls bid on was a separate specification and constituted an alternate bid. They were the lone bidder that submitted a proposal for that scope of work and the description of that work is in the advertisement. Director Rush and Consultant Magnarella commented on the need and scope of the project. Commissioner Hyslope stated that if the City wants to have a municipal golf course, the City must adequately irrigate it and she acknowledged that thankfully the City has community partners that are willing to step up to the plate and assist with the funding.

Commissioner Hyslope made a motion, seconded by Commissioner Gardner, to approve Resolution No. 2023-068. Vote 5 yeas, 0 nays

Manager Martin thanked Attorney Brandenburg for his guidance on making sure that we complied with all the procurement standards. Commissioner Hyslope thanked city staff for their work and the partners who have agreed to help. Commissioner Gardner expressed her appreciation to the Golf Course Advisory Board whose members have all been very active on this project and recommended it.

In other matters, Commissioner Hyslope next opened a discussion regarding some issues at an arcade facility that she was notified about in an email she received from Ms. Hernandez. She stated that she found the email to be extremely disturbing and asked Manager Martin to see what the City could do about it. Manager Martin suggested that this item be discussed at a workshop so that Chief Lewis could give the board an update based on his discussions with the state attorney's office regarding the enforcement of some of the alleged violations related to the operation of the arcade facilities. He stated that he and Chief Lewis have discussed a strategy to enhance enforcement in the vicinity to address the other issues alleged to have occurred outside the facility. He also stated that he would prefer to also have Attorney Brandenburg's input on anything that the city can do from a regulatory standpoint beyond what the state had already done in recent legislative actions on regulation of these type business operations. Commissioner Hyslope suggested checking with the surrounding communities to see what they have done or are considering. Commissioner Gardner mentioned that she sent an email to Manager Martin on July 20 with information on how Palm Beach Gardens had taken a very strong stance on this and suggested that we look at their recent ordinance at the workshop when we discuss the impact to our community. Attorney Brandenburg agreed to pull their ordinance and review. Mayor Pittman stated that

he also talked to Manager Martin regarding the complainant about this issue and suggested that we consider other options such as potentially placing a moratorium on adult arcades until we have a workshop and consider any recommended ordinance adjustments. Attorney Brandenburg recommended holding off on a blanket moratorium for now until we do our homework because the City does not want to do something too quickly the enforcement of which could be challenged. Commissioner Gardner asked that all amusement arcades in the community be looked at to make sure they are complying with all of our ordinances and regulations. She requested a breakdown of information on each one. Manager Martin suggested that once the information is ready, the Commission tag the workshop to an upcoming meeting on the schedule. He then reviewed the budget workshop schedule and asked Director Williams to be ready to provide an update on the roofs and talk about the maintenance efforts that were done at the August 7, 2023 Budget Workshop. Commissioner Hyslope noted that she will be out of town on August 7.

Adjournment

Commissioner Gardner made a motion, seconded by Commissioner Hyslope, to adjourn the meeting at 5:43 p.m. Vote 5 yeas, 0 nays

James Pittman, Mayor

Mary K. Combass, City Clerk